

11-6-314 Nonconforming Signs

- (1) **Purpose and Intent** – In order to minimize confusion and unfair competitive disadvantage to those businesses which are required to satisfy current standards of this Chapter, the City intends to apply firm regulation of existing nonconforming signs with a view to their eventual elimination. This goal shall be achieved by strictly construing limits on change, expansion, alteration, abandonment and restoration of nonconforming signs.
- (2) **Alterations** - Excluding normal maintenance and minor repair, a nonconforming sign shall not be reconstructed, raised, moved, replaced, extended, altered or enlarged unless the changes are specifically in accordance with sections of State law that supersede this ordinance.
- (3) **Exemptions** – The following alterations shall be exempt from the provisions of this subsection:
 - a. Face changes in a non-conforming sign;
 - b. Copy changes in a nonconforming permanent sign which was originally approved to accommodate changeable copy features; and
 - c. Maintaining amount or lessening height or sign area or a non-conforming sign.
- (4) **Billboards** – The provisions of this section shall not apply to billboards. Nonconforming billboards shall be terminated in accordance with the provisions of *Utah Code Annotated 10-9a-512*, as amended. In the event that such provisions are repealed, non-conforming billboards shall be subject to the provisions of this ordinance.
- (5) **Special Exceptions** - Upon application by the sign or business owner, the Board of Adjustment may grant a special exception to allow retention or relocation on the property of a nonconforming sign, provided that the Board determines that:
 - a. The proposed change to the nonconforming sign is determined to be an acceptable and appropriate alternative to the current standards and ordinances;
 - b. The action will not impose a burden on other property in the City beyond that posed by a conforming sign;
 - c. Approval will provide a forum for free expression or other benefits to the public; and
 - d. Signs located on buildings listed on the National Register of Historic Places are significant to the character of the building.

Unfair competitive disadvantage of businesses in the City whose signs do comply with this ordinance is not to be construed as a burden to be considered by the Board of Adjustment. Purely economic factors, such as expense of removing or altering a nonconforming sign or of purchasing a conforming sign shall not be considered as a reason for granting a special exception by the Board. The Board may impose reasonable requirements with which the petitioner must comply as a condition of approval of a special exception.